IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

Bail Appl..No. 1925 of 2007()

CRIME NO.101/2007 OF FORT POLICE STATION, TVM

PETITIONERS/ACCUSED 1 TO 4

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1. SUDHEER, T.C.39/1923,
KARIMADOM COLONY, MANACADU P.O.,
THIRUVANANTHAPURAM.

2. HUSSAIN, T.C.39/1207,
BISMI NAGAR, ATTAKULANGARA, THIRUVANANTHAPURAM.

3. SHAJEER, KARIMADOM COLONY,
MANACADU P.O., THIRUVANANTHAPURAM.

4. SHEREEF, T.C.39/1161,
BISMI NAGAR, ATTAKULANGARA, THIRUVANANTHAPURAM.

BY ADV. SRI.S.GOPAKUMARAN NAIR

RESPONDENTS:

SUB INSPECTOR OF POLICE,
FORT POLICE STATION, THIRUVANANTHAPURAM,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1925/2007

Dated this 2nd day of April, 2007

O R D E R

The petitioners, who are accused Nos. 1 to 4 in Crime No.101/2007 of Fort Police Station, Thiruvananthapuram, for offences punishable under Sections 143, 147, 148, 341 and 324 IPC read with Section 149 IPC and also under Section 27 of the Arms Act, 1959 and Sections 3 and 5 of the Explosives Substances Act, 1908, seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The occurrence took place on 18.2.2007 at about 9.15.p.m., during which the petitioners, who were allegedly involved in NDF activities, armed with deadly weapons like sword, country bombs etc., are said to have attacked the defacto complainant and others due to political enimity.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer and then to have their applications for regular bail ordered by the Magistrate concerned. The petitioners have a contention that they were also attacked and injured and they also had

undergone treatment as inpatients and are taking steps to see that a counter case is registered against the defacto complainant and others.

5. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 9.4.2007 and 11.4.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioners shall, thereafter, be produced on the same day before the Magistrate having jurisdiction. The Magistrate shall consider and dispose of the applications, if any, filed by the petitioners for regular bail preferably on the same day on which such applications are filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs